

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TEVA PHARMACEUTICALS USA, INC., )  
TEVA PHARMACEUTICAL INDUSTRIES LTD., )  
and NOVOPHARM, LTD., )

Counterclaim Plaintiffs, )

v. )

ABBOTT LABORATORIES, )  
FOURNIER INDUSTRIE ET SANTÉ, and )  
LABORATOIRES FOURNIER S.A., )

Counterclaim Defendants. )

C.A. No. 02-1512 (\*\*\*)

CONSOLIDATED

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IMPAX LABORATORIES, INC., )

Counterclaim Plaintiffs, )

v. )

ABBOTT LABORATORIES, )  
FOURNIER INDUSTRIE ET SANTÉ, and )  
LABORATOIRES FOURNIER S.A., )

Counterclaim Defendants. )

C.A. No. 03-120 (\*\*\*)

CONSOLIDATED

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IN RE TRICOR DIRECT PURCHASER )  
ANTITRUST LITIGATION )

C.A. No. 05-340 (\*\*\*)

THIS DOCUMENT RELATES TO: )  
ALL ACTIONS )

CONSOLIDATED

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IN RE TRICOR INDIRECT PURCHASER )  
ANTITRUST LITIGATION )

C.A. No. 05-360 (\*\*\*)

THIS DOCUMENT RELATES TO: )  
ALL ACTIONS )

CONSOLIDATED

**STIPULATION AND PROPOSED ORDER RE SCHEDULE**

IT IS HEREBY STIPULATED by the Plaintiffs and the Defendants, subject to the approval of the Court, that the following modification to the schedule (*see, e.g.*, D.I. 552, D.I. 521 and D.I. 540 in C.A. No. 02-1512) will apply:

1. Depositions of the experts shall be completed by February 29, 2008. There shall be only one deposition for each report filed by each expert. All plaintiffs shall take a single deposition of each Abbott and Fournier expert, per each report filed by such expert. The deposition of an expert is not limited to one day of seven hours; the parties shall negotiate in good faith to establish time limits for individual expert depositions.

2. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), it shall be made by motion no later than April 4, 2008. Answering briefs shall be served on or before May 2, 2008. Any party wishing to file a reply brief in support of a *Daubert* motion may ask the Court at the time of briefing for permission to file a reply brief. Absent such permission, reply briefs shall not be filed in support of a *Daubert* motion.

3. All case dispositive motions, and an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before April 18, 2008. Answering briefs shall be served and filed by May 27, 2008 and reply briefs shall be served and filed by June 27, 2008.

ROSENTHAL, MONHAIT & GODDESS, P.A.

/s/ Jeffrey S. Goddess (# 630)

Jeffrey S. Goddess (# 630)  
Jessica Zeldin (# 3558)  
919 Market Street, Suite 1401  
P.O. Box 1070  
Wilmington, DE 19899-1070  
(302) 656-4433

*Liaison Counsel for Direct Purchasers*

PRICKETT JONES & ELLIOTT, P.A.

/s/ Elizabeth M. McGreever (# 2057)

Elizabeth M. McGreever (# 2057)  
1310 King Street  
P.O. Box 1328  
Wilmington, DE 19899  
(302) 888-6521

*Counsel for Walgreen Co., Eckerd Corp., The Kroger Co., Maxi Drug, Inc. d/b/a Brooks Pharmacy, Albertson's Inc., Safeway, Inc. and Hy-Vee, Inc., CVS Pharmacy, Inc., Rite Aid Corp. and Rite Aid Hdqtrs Corp., and American Sales Company Inc.*

CHIMICLES & TIKELLIS LLP

/s/ A. Zachary Naylor (# 4439)

Pamela S. Tikellis (# 2172)  
A. Zachary Naylor (# 4439)  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899  
(302) 656-2500

*Liaison Counsel for Indirect Purchasers*

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ James W. Parrett, Jr. (# 4292)

Mary B. Graham (# 2256)  
James W. Parrett, Jr. (# 4292)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200

*Attorneys for Abbott Laboratories*

RICHARDS, LAYTON & FINGER, P.A.

/s/ Anne Shea Gaza (# 4093)

Frederick L. Cottrell, III (# 2555)  
Anne Shea Gaza (# 4093)  
One Rodney Square  
Wilmington, DE 19801  
(302) 651-7700

*Attorneys for Fournier Industrie et Santé and Laboratoires Fournier, S.A.*

MURPHY & LANDON

/s/ Jonathan L. Parshall (# 3247)

Jonathan L. Parshall (# 3247)  
1011 Centre Road, Suite 210  
Wilmington, DE 19805  
(302) 472-8100

*Attorneys for Pacificare Health Systems, Inc.*

YOUNG CONAWAY STARGATT & TAYLOR, LLP

MORRIS JAMES LLP

/s/ Josy W. Ingersoll (# 1088)

Josy W. Ingersoll (# 1088)  
Karen E. Keller (# 4489)  
The Brandywine Building  
1000 West Street, 17<sup>th</sup> Floor  
Wilmington, DE 19899-0391  
(302) 571-6600

*Attorneys for Teva Pharmaceuticals USA,  
Inc., Teva Pharmaceuticals Industries Ltd.,  
and Novopharm Ltd.*

/s/ Mary B. Matterer (# 2696)

Mary B. Matterer (# 2696)  
222 Delaware Avenue, 10<sup>th</sup> Floor  
Wilmington, DE 19899-2306  
(302) 888-6800

*Attorneys for Impax Laboratories Inc.*

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

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